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MCCARTHY CONVICTED

SENTENCED TO HARD

LABOR FOR SIX MONTHS

Verdict Was Assault in the Second Degree—Judge Gear Imposes The Full Limit of Penalty.

All motions for abatement or stalling of the prosecution of William McCarthy, under indictment for assault and battery, were overruled by Judge Gear. Mr. McCarthy made the closing argument for the defense and Mr. Dougherty that for the prosecution, and shortly after noon yesterday Judge Gear charged the jury.

After a brief absence the jury returned a verdict of assault in the second degree. Judge Gear imposed the limit of penalty for that offense, being six months' imprisonment at hard labor.

It was the third jury sworn to try McCarthy at the February term which came to an end yesterday after an extension of twelve days. The first jury found the defendant guilty as charged, but as the indictment specified "the crime of mayhem," which is not found in the statute, Judge Gear granted a motion in arrest of sentence and discharged McCarthy.

Then he was arrested on the charge of assault, the Grand Jury promptly finding a true bill. The second jury was empaneled and sworn, but the morning thereafter appeared the cartoon bearing on the prisoner's former discharge, for which the editor of the Advertiser was found in contempt and sentenced to be imprisoned without hard labor thirty days.

Owing to that episode a mistrial was entered and the third jury impaneled, which brought in the verdict whereon McCarthy was sentenced as already stated.

The basis of the prosecution from the outset was the biting of his wife's ear by McCarthy, causing what would have been permanent mutilation but for the prompt skill wherewith the wounds were treated. McCarthy is a powerfully built man of the Celtic race, while his wife is a little South Sea Islander. Part of McCarthy's defense was that the woman had bitten him in the arm.

Mr. Biting, upon the rendering of the verdict, took the usual forms for an appeal.

SUPREME COURT OF THE FORESTERS

The next regular session of the Supreme Court of the Independent Order of Foresters will be opened at Blanchard's hall, in the city of Los Angeles, on Tuesday, April 29, 1902.

Special arrangements have been made with the transcontinental railroads on the Mainland for reduced rates from Canada and all parts of the Eastern States, and it is expected that the attendance, outside of the regularly accredited delegates, will be very large.

The Australian delegation who are going to attend the session are due in Honolulu per steamship Moana on April 9, and will make a short stay here. The delegation will consist of the Hon. Lee-Bryce, assistant general manager for Australia; His Lordship Bishop Riley of Western Australia; Rev. George E. Rowe, ex-President of the Methodist body of Australia, and several other distinguished Australians.

Independent Foresters point with justifiable pride to the wonderfully rapid growth of the Order, which now has about 200,000 members, 7029 being added in the month of December. The surplus in the treasury on February 1 was \$5,258,353.86; and in December \$152,829.37 was paid to the families of deceased members, and to disabled members. The Temple building, in Toronto, Canada, the headquarters and owned by the Order, is the tallest, largest and finest office building in Canada.

PASSENGERS ARRIVED.

From Hilo and way ports, per str. Kinau, March 15—T. F. Prentiss and wife, P. Peck, W. H. Lambert, Rev. W. D. Westervelt and wife, Hon. Julian Monsarrat, Miss A. Jones, G. Moore and wife, E. P. Williams, Dr. E. W. Young, H. A. Kohler, Miss J. Larned, Miss C. C. Phelps, Miss F. Hadlick, Miss A. Anderson, W. R. Foster, N. C. Wilfong, Mrs. A. K. Green, J. Mallon, wife and son, P. C. Peterson, V. Adachi, A. Cameron, D. McKee, A. V. Peters, A. Conrad, H. G. Danford, Mrs. J. H. McKenna, Master Murray McKenna, J. W. Brown, H. Kohler, Mrs. H. Kohler, Miss F. Gilmore, H. J. Craft, Hillborn, R. R. Bury and wife, W. A. Sexton, D. B. McKay, Miss B. Backgalupo, Mrs. C. F. Gunther, Mrs. A. Priester, Henry Priester, John W. Ferris and wife, H. M. Boies, C. R. Sturges, T. C. Davies, G. F. Davies, P. Woods, J. F. Woods, R. R. Hind, R. H. Long, Robert Horner, E. P. Low, R. K. Purdy, H. L. Ross, G. Fern and wife, Aho, wife and child; Lau Long, J. H. Painter and wife, E. C. Brown, E. D. Carr, T. F. Lansing, Col. W. H. Cornwell, Mrs. Sang Kee and three children, Dr. J. S. B. Pratt, T. O. Brant and 143 deck passengers.

Hilo's Poverty Ball.

Hilo, March 14.—The Executive committee of the Hilo Cotton Club has arranged for a ball at Spreckels' hall on the evening of April 1, which will be a novelty of novelties. It is a "Poverty Ball." Dress suits are tabooed and patent leather shoes will be thrown in the scrap pile that night. The cards issued deny the privilege of dancing to all who are not arrayed in garments of calico and jeans.

Bulletin, 76c per month.

CHAIRMAN PAYNE ON CUBAN SUGAR

Three Propositions Now Before Ways and Means.

TAWNEY WANTS DIRECT GIFTS TO THE CUBANS

Morris, of Minnesota, Suggests More Tariff on Sugar to Outside World and Rebate From Cuba.

Washington, March 6.—Chairman Payne of the Ways and Means Committee today gave out the following authorized statement of the discussion over Cuban reciprocity:

"I think the large majority of the Republicans have made up their minds that we must do something for Cuba. There are three propositions presented which have this profound interest in view. The proposition of Mr. Morris of Minnesota provides for an increase in the tariff on sugar to the outside world and a rebate on sugar imported from Cuba. It does not seem to me that many Republicans are willing to increase the duty on sugar.

"Then there is the proposition of Mr. Tawney to vote between \$7,000,000 and \$8,000,000 directly into the Cuban treasury and to ask the Cuban Government to distribute about \$1,000,000 according to his figures, to native Cuban planters. This first payment is to be paid without any compensation from Cuba in any way or manner—a pure gift to the Cuban Government. It hardly needs the opinion of a lawyer to say that such a procedure would be unconstitutional. His proposition further is to pay a like sum yearly on the granting of reciprocal concessions and the passage of our immigration and exclusion laws.

"Of course, no bounty of this kind could be distributed without a scandal and a fraud. In the next place, seven-eighths of the Cuban laborers would still remain without work. It would be just as easy for the sugar trust to obtain a concession on the sugar they bought on account of the bounty as to obtain a concession where the planter knew he was to have a 20 per cent concession in duty. Thus Mr. Tawney's proposition has no advantages over that of a 20 per cent reduction, and it has the disadvantages named.

"The third proposition is that for a 20 per cent reduction of duties. This would injure no home industry. Coupled with the provision to extend our exclusion laws to Cuba, no one appearing before the Committee on Ways and Means contended that it would so injure home industries. All agreed that the price of sugar to the American consumer would remain the same. Nor would it inure to the benefit of the sugar trust. The witnesses before the committee united in testifying—and the statistics prove—that the trust has received no benefit in buying sugar either in Hawaii or Porto Rico since the duty was reduced or removed. The entire benefits have been reaped by the planters in these islands. We have every reason to believe the same would prove true as to Cuba.

"Many misleading statements as to the attitude of the President, the Cabinet and the House Republicans are appearing in the newspapers. I cannot speak of conferences with the President; but I have every assurance that the Cabinet is not divided on this question, nor have a majority of House Republicans committed themselves either to the Morris or the Tawney policy. The proposition of 20 per cent reduction, if made, will put off, in my judgment, the annexation of Cuba for many years. She will not come in until her population is Americanized from the States. It will settle the question for generations to come and give rest and tranquility to the sugar business. If the reduction is made, no further change will be made. We have annexation and free trade. To refuse to do anything would put the House in a position hostile to the President, would cause uncertainty and a feeling of apprehension to the producers of sugar in the States, and would be utterly demoralizing."

The following authorized statement was made public at the White House this evening: "Any statement that the President has changed his attitude in the Cuban reciprocity business is without the slightest foundation in fact."

SONS OF ST. PATRICK

Hilo, March 14.—That the Sons of St. Patrick can fittingly celebrate the birth of the patron saint in Hawaii, cannot be doubted when it is considered that Hawaii, like Ireland, is free from snakes.

Keanu will be the center of the celebration in Oahu on the 17th and the day will be given over to feats of strength and endurance, horse racing, bicycle races, etc.

The committees in charge of the different departments of the celebration have spared no effort in having the details complete in every particular and it is believed that the result will be so satisfactory that history, in Oahu, will date from "last St. Patrick's Day."

HARRY OVEREND'S TRIAL

Hilo, March 14.—The trial of Harry Overend on the charge of assault with a weapon obviously and imminently dangerous to life was begun last Tuesday. Wednesday evening the trial was postponed until this morning. The two days were occupied wholly with the introduction of testimony, several witnesses being examined on both sides. The prosecution will proceed with rebuttal today.

REAR-ADMIRAL MERRY FLAG OF HIS RANK RAISED FIRST TIME

Salute in Honor of Promotion of Naval Station Commandant—Friends Congratulate Him.

Rear Admiral John Fairfield Merry raised his flag for the first time yesterday at the Honolulu naval station. His promotion has been known for some time previous, but his commission was only received by last mail from Washington.

A salute of thirteen guns was fired from the station battery. There was a small party of Federal officials and intimate friends present at the ceremony. Rear Admiral Merry produced champagne from the ice chest, and the guests drank his health amidst warm congratulations.

Those present included: Captain U. S. G. White, U. S. A. engineer; Captain Williamson, Quartermaster General; Paymaster Hall, U. S. District Attorney R. W. Breckon, U. S. Marshal E. R. Hendry, Deputy Marshal F. W. Handy, U. S. Commissioner E. S. Gill, Shipping Commissioner W. Porter Boyd, Dr. Taylor, Albert Raas, Arthur A. Wilder, J. A. Gilman.

Rear Admiral Merry has been commandant of the Honolulu naval station from its establishment, and both officially and privately has been highly popular in this community. With promotion he goes upon the Navy retired list, having completed the full term of service. Wherever he may spend his well-earned years of leisure Rear Admiral Merry is assured of happiness if the wishes of the people of Honolulu be realized.

OLYMPICS MAY VISIT HONOLULU

It may be that during the next two months the Olympic baseball club will be seen in Honolulu. The baseball enthusiasts of the city are at present considering a proposition by which it is expected this happy result may be brought about.

Several weeks ago Gollinsky, the pitcher for the Olympic team, was here for a visit. At that time, he had a conversation with Walter Hyman on the subject of baseball and said that the Olympics were very anxious to come to Honolulu to play if arrangements could possibly be made.

After Gollinsky had left the city, Mr. Hyman spoke to Deputy Sheriff Chillingworth and other baseball enthusiasts who were all in favor of trying to arrange for a trip of the Olympics to this place. A letter was sent to Gollinsky telling him to see the directors of the Olympic Club and ask them what kind of a proposition they were willing to make.

The answer to this letter was received by the Alameda yesterday and the offer which the Olympic Club directors make is really almost too good to be true. As it will cost about \$1500 to bring the boys here, the Olympics have decided to put up half the money, the other half to be paid by the Honolulu players. From the gate receipts of the series of games to be played, the first \$150 will be taken to reimburse the Honolulu people. If there is anything left after that, 75 per cent will go to the visitors and 25 per cent to the Honolulu people.

The matter will be talked up among the boys here and if the amount of \$750 can be raised there will undoubtedly be an acceptance of the offer of the directors of the Olympic Club.

MEMORIAL WINDOW TO T. H. DAVIES

Hilo, March 14.—The congregation of the Paauilo Mission Hall is to be congratulated on the improvement recently made to their building in placing a colored window in the apex which gives a most pleasing effect to the hall's interior. The window is the artistic work of Messrs. Tiffany & Sons of New York, and displays colors which so pleasingly harmonize that any one would pronounce it to be all one could wish. A more suitable window could not have been designed. A glass panel at the lower part of the window bears the following inscription which states its purpose and names its kind donors:

"TO THE MEMORY OF THEOPHILUS HARRIS DAVIES, Born January 4, 1833. Died May 25, 1898."

This window is erected by his widow and children, reminding those who have the privilege of meeting together for worship Sunday by Sunday how they are indebted to the liberality of the late Theo. H. Davies, for which he was noted, having borne the greater part of the expense of erecting the hall in which they meet.

Hum'd ty at Lupaohoe.

Hilo, March 14.—For the first eight days of March Lupaohoe had considerable rain ranging from 1.25 on the first to 16.48 on the 2d, 10.90 on the 4th, 16.20 on the 5th, 8.85 on the 6th, 3.90 on the 7th and 41.100 on the 8th; the total fall for the eight days being 62.38. The roads in the vicinity of Lupaohoe are in very bad condition.

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